

COPY

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CANAL BARGE COMPANY, INC.)
and CHANNAHON TOWNSHIP HIGHWAY)
DEPARTMENT,)

Petitioners,)

vs.)

CSX TRANSPORTATION, INC. and)
ILLINOIS DEPARTMENT OF)
TRANSPORTATION,)

Respondents.)

RECEIVED
DEC 5 2002

Illinois Commerce Commission
RAIL SAFETY SECTION

No.

702-0115

Re:

Petition for an Order of the Illinois
Commerce Commission authorizing
the establishment of a new at-grade
crossing at Young Road and the tracks
of CSX Transportation, Inc., in
Channahon Township, Will County,
Illinois.

PETITION

Now come the Petitioners, Canal Barge Company, Inc. (CBC) and Channahon Township Highway Department (CTHD) ("Petitioners"), by and through their attorney, Mary Louise Kandyba, and for their Petition for an Order authorizing a new at-grade crossing, state as follows:

1. Petitioner CBC is a corporation licensed to do and doing business in the State of Illinois. CBC owns and operates a bulk liquid barging and storage terminal in Channahon Township, Illinois. The terminal is used to store liquid asphalt for use in highway construction in the Chicago region. The asphalt is received by barge and redelivered by tank truck. Molten sulfur is also transloaded from tank trucks to rail cars at the site.

2. Petitioner CTHD is a local governmental entity with jurisdiction over Young Road, formerly known as Olin Road, which is depicted on the map that is attached to this Petition as Exhibit A. CTHD is responsible for maintenance and improvements to Young Road. Young

DOCKETED

Road provides access to local and state traffic across the spur track in a north-south direction generally between Route 6 and Amoco Road.

3. The area that is the subject of this Petition is currently served by rail by CSXT on the Amoco Lead, which comes off CSXT's New Rock Subdivision near Milepost BIF-46.3. There are already several spurs off that lead, serving not only CBC but also Smurfit-Stone Container Corporation and Northfield Block Company. Both of these entities are aware of the proposed expansion in the area by CBC and have no objection to same. A true and correct copy of a diagram showing the existing tracks and the proposed location of the new spur (Common Switch "B2") is attached hereto as Exhibit B to this Petition.

4. The existing rail spur is approximately 1400 feet in length and is owned and operated by CBC, and has been since the Channahon Plant was originally constructed. CBC intends to expand the existing facility and will require additional rail capacity to serve the new business. The existing rail is utilized to capacity and no other rail in the vicinity is available or appropriate for CBC's needs. Alternative rail access cannot be provided at a cost equal to or less than the cost of establishing the crossing. Therefore, Petitioners propose to install a new approximately 1500-foot rail spur to serve the plant, which will necessitate the establishment of a new at-grade crossing of the new spur track and Young Road. Petitioners anticipate that, if approved by the Commission, the new rail spur will be constructed during 2003.

5. CBC retained J.L. Meece Engineering, Inc., of Coal City, Illinois to prepare the plans for the rail spur extension. True and correct copies of the preliminary plans prepared by Meece are attached hereto as Exhibit C.

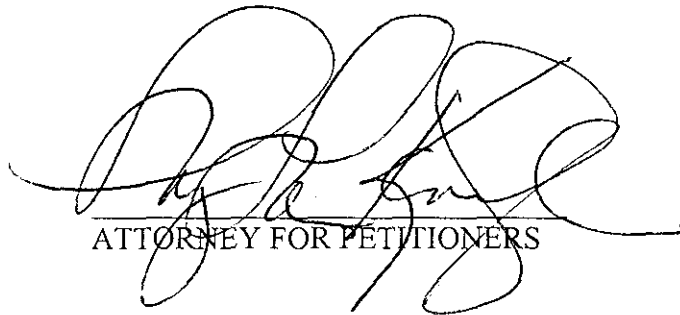
6. Young Road at the location of the proposed new crossing is a paved road without shoulders. The area is primarily industrial in character. There are no residences along Young Road at or near the location of the proposed new crossing, and Young Road is not a school bus route. For the most part, the traffic utilizing Young Road is traveling to and from the industries located thereon. CBC authorized a traffic study to be done on Young Road, which demonstrated an approximate vehicle count of 1500 per day over the area where the proposed crossing will be located, during the week days. The amount of vehicular traffic would diminish substantially during the week-ends. The great majority of the traffic occurs between 6 a.m. and 6 p.m., which would be normal business, and usually daylight, hours.

7. CSXT will be the sole line haul railroad operating locomotives and moving railcars over the new spur. CSXT will be serving the area on a daily basis during the week, Monday through Friday only, with all moves normally during daylight hours. No switching will be done on the week-ends. Traffic over the new spur line will amount to no more than two moves per day, one move into the spur and one move out of the spur. Moves will be made at speeds less than 15 miles per hour. There will only be one train crew and locomotive working in the area at any given time. CSXT has agreed to the new installation. (See Exhibit D, attached hereto.) If ordered by the Commission, CSXT will have its crews flag the crossing during switching moves.

8. Because of the low volume of railroad traffic on the proposed spur, CBC proposes to install cross-bucks only at the new crossing. Existing pavement markings and advance warning signs for the existing crossing just north of the proposed new crossing should provide adequate, safe and suitable protection for motorists required to traverse the crossing, in conjunction with the requirement for a flagman if so ordered by the Commission. The crossing itself will be a timber and asphalt surface.

9. The cost of all of said improvements, and the cost of future maintenance of the crossing should be borne by CBC. Maintenance of the approaches to the at-grade crossing after construction will be the responsibility of CTHD. .

WHEREFORE, the Petitioners, CANAL BARGE COMPANY, INC. and CHANNAHON TOWNSHIP HIGHWAY DEPARTMENT, request that the Commission act expeditiously in this matter to set the aforesaid matter for hearing with notice to the Parties hereto, and after such hearing enter an Order authorizing the establishment of a new at-grade crossing across Young Road in Channahon Township, Will County, Illinois and granting all other necessary and appropriate relief.



ATTORNEY FOR PETITIONERS

Mary Louise Kandyba
Attorney for Petitioners
221 North LaSalle Street
Suite 1007
Chicago, Illinois 60601
(312) 977-1919

CERTIFICATE OF SERVICE

Mary Louise Kandyba states that she is the Attorney for the Petitioners in the foregoing cause, and that she served the foregoing Petition on the following:

Channahon Township Highway Department
25461 South Fryer Street
Channahon, Illinois 60410

Anne M. Winfield
CSXT
Senior Counsel
500 Water Street
J-150
Jacksonville, Florida 32202

Kenneth Mettler
CSXT
733 West 136th Street
Riverdale, Illinois 60627

Darrell McMurray
IDOT
Bureau of Local Roads
2300 South Dirksen Parkway
Springfield, Illinois 62764

Canal Barge Company
23213 South Young Road
Channahon, Illinois 60410

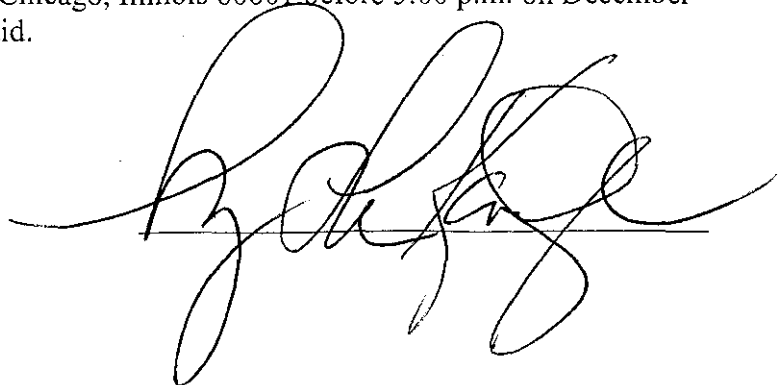
Cindy Van Duyne
Mid American Terminal Services
800 Jackson Avenue
Mandeville, Louisiana 70448

Terrance J. Van Tassel
General Manager
Smurfit-Stone Container Corp.
P.O. Box 151
Joliet, Illinois 60436

Wayne Wright
Superintendent of Operations
Northfield Block Company
23451 Young Road
Channahon, Illinois 60410

Michael Stead
Rail Safety Program Administrator
Illinois Commerce Commission
527 East Capitol
Springfield, Illinois 62701

by depositing a true and exact copy of same addressed to the above in the United States Mail at 221 North LaSalle Street, Chicago, Illinois 60601 before 5:00 p.m. on December 4, 2002 with proper postage prepaid.

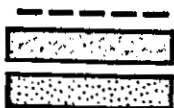
A large, stylized handwritten signature in black ink, likely belonging to Mary Louise Kandyba, is written over a horizontal line.

BOUNDARY LINES AND SCREENS

TOWNSHIP OR ROAD DISTRICT

PRESERVE, PARK AREA OR CEMETERY

WATER RESERVATION



AIRPORTS

COMMERCIAL SERVICE



OTHER



SEAPLANE BASE



STATE HIGHWAY POLICE STATION

FIRE DEPARTMENT

TOLL PLAZA

W W E I

[1] Pavement Types Not Designated Within Municipalities

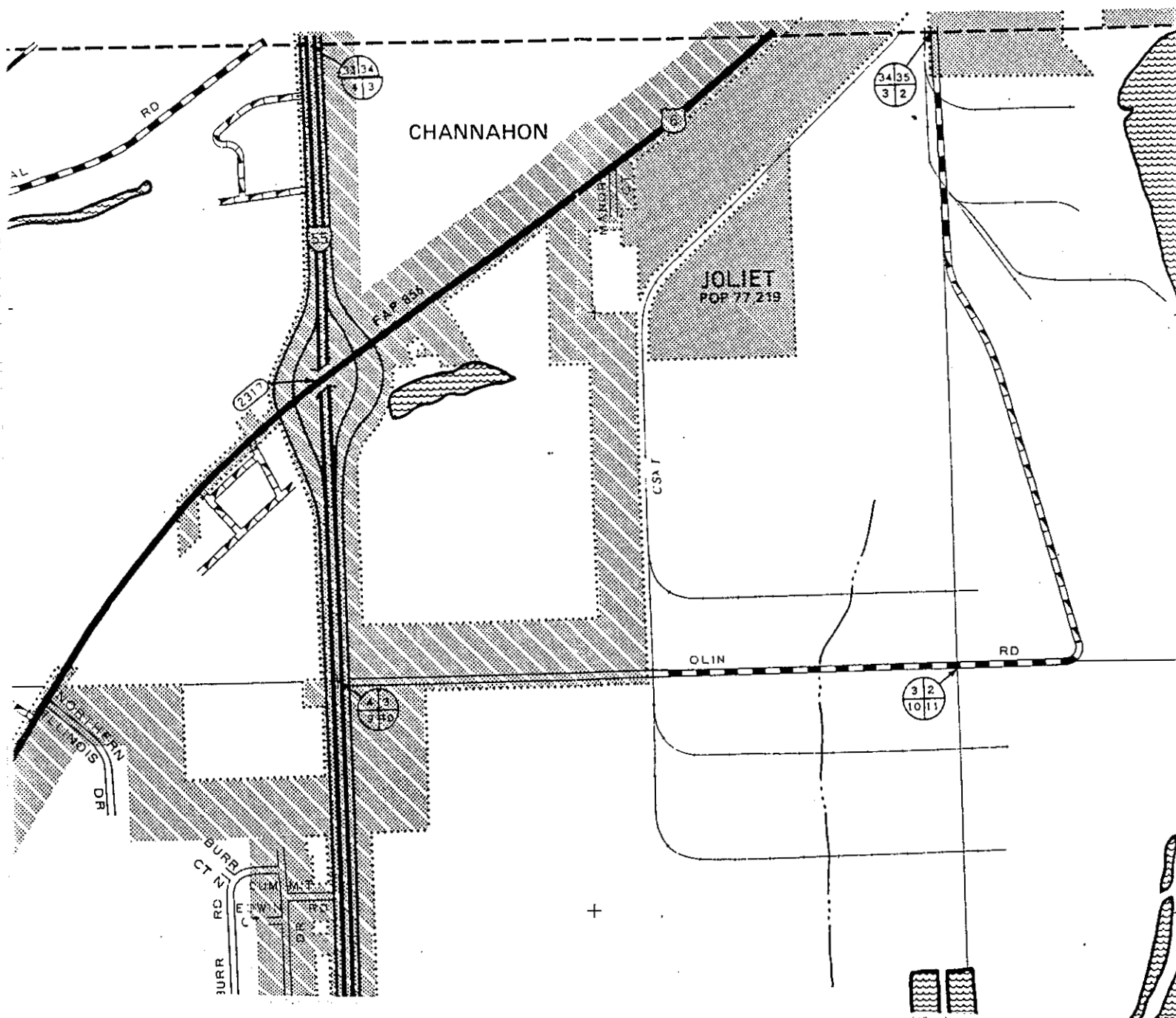
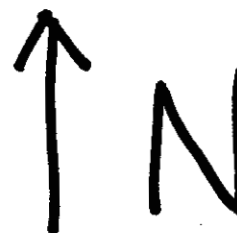


EXHIBIT A

DATE: 10/31/00
PROJ. NO.: 9174.G0

BP AMOCO
B-84-3080
EXHIBIT SHOWING

PATRICK
ENGINEERING INC.
CHICAGO, ILLINOIS

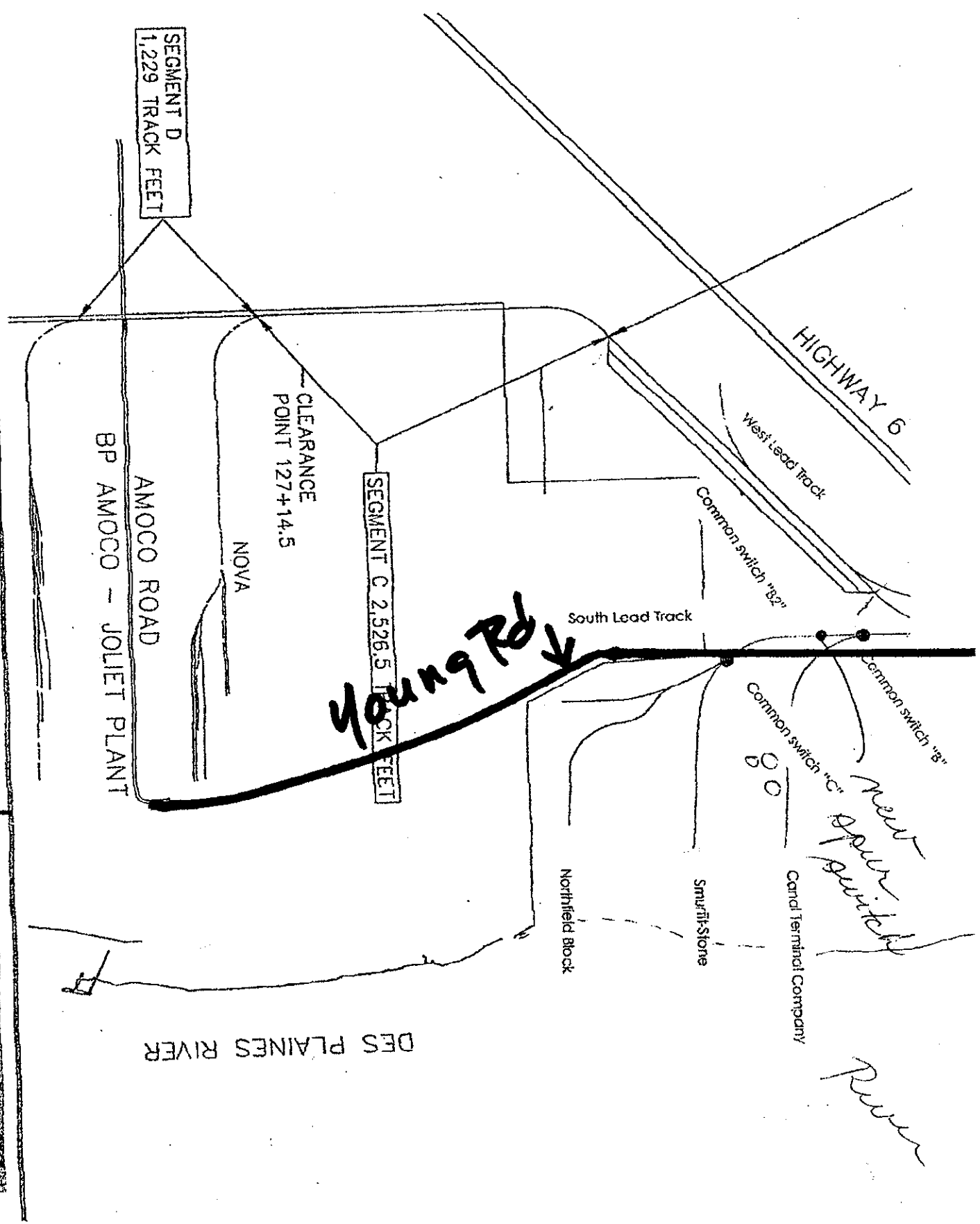


EXHIBIT B



TRANSPORTATION

W. T. Willis
Regional Manager Site Design
Industrial and Economic Development

1717 Dixie Highway
Suite 400
Fort Wright, KY 41011
(859) 344-9675
Fax (859) 344-8617

December 2, 2002

Ms. Cindy Van Duyne
Mid-American Terminal Services, LLC.
800 Jackson Avenue
Mandeville, Louisiana 70448

Ms. Cindy Van Duyne,

CSX Transportation is looking forward to serving Canal Terminal Company, LLC on it's track expansion at Channahon, Illinois on the Amoco Lead which comes off the New Rock Subdivision near mile post BIF-46.3. Please inform all that CSX expects to typically serve the facility with a three persons train crew, with service typically occurring in the early afternoon, and that inbound rail cars will be shoved to the spotting locations past the new grade crossing of Young Road.

CSX has approved plans number C003, C004, and C005 last dated November 14, 2002 supplied by Mr. Andrew Oliver of J. L. Meece Engineering Inc.

Commencement for the portion of construction located on CSX right-of-way is contingent on execution by CSX of the Right-of-Entry Agreement requested by Canal Barge, Company, Inc. on November 22, 2002. This request will be executed and returned after it is processed by CSX Corporate Risk Management.

In addition, prior to rail service by CSX a sidetrack agreement between CSX and Canal Terminal Company, LLC will need to be entered into. Canal Terminal Company needs to supply a drawing of it's existing track for inclusion in the sidetrack agreements before the agreement can be drafted.

Respectfully yours,

W. T. Willis

EXHIBIT D